

REMARKS

The following remarks and preceding amendments are intended to be fully responsive to the Office Action mailed August 15, 2005. If any aspect of this response is deemed deficient, the Examiner is invited to contact the Applicant's representative.

112 REJECTIONS

Claims 13-16 and 29-32 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite because the phrase "chemical and etch device" is unclear in claims 13 and 29. With this response the phrase "chemical and etch device" in claims 13 and 29 have been amended to "chemical and physical etch device". Applicant respectfully requests withdrawal of each rejection and a notice to that effect.

CLAIM REJECTIONS (102)

Claim 33 is rejected under 35 U.S.C. 102(b) as being anticipated by Libby et al (USP 5916424). The Applicant respectfully traverses the rejection.

Claim 33 recites, in part, a method of "directing a physical reactant and chemical reactant at the entire air bearing surface." Libby et al fails to disclose this limitation. Rather, Libby et al is concerned only with processing the pole tips of a magnetic writer. This is evident because Libby et al only discloses shaping the poles and only by using a focused ion beam to shape the poles. Because Libby et al only discloses directing a focused ion beam at the pole tips, Libby et al fails to disclose "directing a physical reactant and chemical reactant at the entire air bearing surface", and therefore cannot anticipate claim 33. In view of the above arguments, Applicant respectfully request this rejection be withdrawn and claim 33 be indicated to allowable.

CLAIM REJECTIONS (103)

Claims 1, 3-12, 17 and 19-28 are rejected under 35 U.S.C. 103(a) as being unpatentable by Libby et al in view of Williams et al (USP 6238582). The Applicant respectfully traverses the rejection.

First, although independent claims 1 and 17 are listed as being rejected under 35 U.S.C. 103(a), the Office Action treats these as 35 U.S.C. 102(b) rejections, and Applicant will address them as such below.

Claim 1 recites, in part, that the physical etch component is a broad ion beam. Similar to the discussion above regarding claim 33, Libby et al only discloses use of a focused ion beam because Libby et al is only concerned with shaping poles, rather than the air bearing surface as a whole. Because Libby et al does not disclose each limitation of claim 1, there can be no anticipation. Applicant respectfully requests the rejection be withdrawn and claim 1 be indicated as allowable.

Claim 17 recites, in part, a first etch device capable of a physical etch and a second etch device capable of both a chemical and physical etch. Libby et al fails to disclose this limitation in claim 17, and rather teaches a system 10 having a ion column 12 and a depicted reactant material 34 which are separate and not a single source. Because Libby et al. does not disclose each limitation in claim 17, there can be no anticipation. Applicant respectfully requests withdrawal of the rejection and a notice to that effect.

Further, claims 1 and 17 recite, in part, a physical and chemical etch component that provides for a uniform etch rate. The Office Action asserts that Libby et al discloses this limitation at column 10, lines 30-38. A review of this section reveals that it does not disclose, suggest or teach anything related to uniform etch rate (rather, this section deals with the movement of the substrates). Because Libby et al does not disclose each limitation of claims 1 and 17, there can be no anticipation. Applicant respectfully requests that rejection be with drawn and claim 1 be indicated as allowable.

Claims 3-12 and 19-28 depend from independent claims 1 and 17 and, as described above, define further features and structure of the device. Accordingly, these claims are patentable for the reasons noted above with respect to claims 1, 13, 20 and 23 as well for the additional features recited therein. Therefore, notice to the effect that dependent claims 2, 9, 12, 14-16, and 21 are in a condition for allowance is respectfully requested.

Claims 2 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Libby et al in view of Williams et al and further in view of Sasaki et al (USP 6163436).

Claims 2 and 18 both recite that the plurality of materials include AlTiC, alumina, and transducing materials. Also, claims 1 and 17 recite that the physical and chemical etch devices (as in claim 1) or the first and second etch devices (as in claim 17) provide for a uniform etch rate through the plurality of materials. The Office Action seems to suggest that Sasaki et al provides motivation to combine because these materials allow for "improved performance of the head." Although Sasaki et al may disclose a slider having alumina, AlTiC and transducing materials, Sasaki et al does not succeed where the other references fail. Specifically, none of the references alone or in combination disclose teach or suggest a physical and chemical etch device that provides a uniform etch rate through alumina, AlTiC and transducing materials. Because these references fail to disclose each limitation found in claims 2 and 18 it is respectfully requested that the obviousness rejection be withdrawn. A notice to that effect is requested.

Claims 13-16 and 29-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Libby et al in view of Williams et al and further in view of Wechsung et al (USP 4085022). Claims 13-16 and 29-32 depend from independent claims 1 and 17 and, as described above, define further features and structure of the device. Accordingly, claims 13-16 and 29-32 are patentable for the reasons noted above with respect to claims 1 and 17 as well for the additional features recited

therein. Therefore, notice to the effect that dependent claims 13-16 and 29-32 are in a condition for allowance is respectfully requested.

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CERTIFICATION UNDER 37 C.F.R. § 1.8

Date of transmission: November 15, 2005

I hereby certify that this Response and the documents referred to as attached therein are being transmitted via facsimile to 571-273-8300 at the United States Patent and Trademark Office, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown above.

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